

July Bar Exam

Good morning all, I am following up on my email from earlier this morning.

As I mentioned, Chief Justice Brutinel is out of state until Monday. He will, however, be glad to meet with you when he returns.

The Supreme Court met and decided not to grant a “diploma privilege”, what would be in effect a full unrestricted license to practice law in Arizona without a person successfully sitting for the bar exam. Since the Court had previously decided not to adopt that option there was no reason to circulate the Rule Petition that was filed. However, the Court was and continues to be aware and concerned with the situation, which led the Court to offer the options below.

Initially, I would mention more than 650 candidates registered for the July Bar Exam to date. While the number of those who actually take the exam may vary, we have received correspondence looking for assurance that the exam will be offered as scheduled. as students choose one of the alternative options. Of the original candidates, 575 intend to sit for the exam as of today, with the remainder choosing to take the October 2020 or February 2021 options.

Unless the situation changes the exam will proceed as planned. This is a national test offered on this specific date. There is no on line alternative to the July exam.

The Court developed four options:

1. Sit for the Bar Exam in July. As you will see from one of the attachments above, we have instituted a number of

accommodations. Of note, we are employing three instead of one extremely large exhibition halls at the Civic Center. We have sufficient space to social distance the students in each hall. Additional procedures are listed in the attachment, Related Process Procedures.

2. Take the Oct 5-6 AZ only NCBE remote exam. The NCBE is offering a shorter remote exam in October. Passing the exam will allow the person a full unrestricted license to practice in Arizona, but not anywhere else. A person who sits for the October exam can then sit for the February UBE exam to achieve a score that would allow for reciprocity if the person chooses.
3. Sit for a later exam.
4. Delay the taking of any exam until Feb and go to work under the supervision of a licensed AZ attorney as provided in Rule 39. The court anticipating the need for options, adopted a rule allowing graduates to go to work now under supervision. This option allows students needing to go to work to do so sooner than taking any exam if they choose. They would have to take an exam by Feb 2021.

The Bar Exam is a unified bar exam (UBE). It is offered by the National Conference of Bar Examiners (NCBE) and is given at the same time throughout the country. 30+ states offer the exam, which has the benefit of allowing scores to transfer to any state that offers the exam.

Some of us on this correspondence have sat for exam. We all recognize it is a stressful time. The Justices understand that as well and developed the options above.

While we are cognizant of the effect on the candidate, we are equally as aware of our responsibility to protect the public and ensure those who are awarded a license are qualified to practice

law. Unfortunately, the passage for the AZ July exam tends to be around 66%. We cannot admit students unable to pass anymore than admitting CPA's or doctors who don't pass their exams.

I would point out that the NCBE is offering a September exam, however, not much is expected to change in the roughly six weeks in between the exams and we cannot secure a facility that is large enough and in which we are confident will provide the necessary protections.

I am including a number of attachments, consisting of information regarding the exam, the logistics, the options, applicable administrative orders and Rule 39.

I know I have provided a lot of information, but I wanted to fully address the concerns in the Chief Justice's absence. To make it easier, instead of an email, I am attaching a Word document. Please contact me with any questions.

Jerry Landau